

These minutes were approved by the Board on 11.05.2021

**MINUTES OF THE MEETING**  
**Board of Mental Health Practice**  
September 3, 2021

**1. ROLL CALL**

The meeting of the Board of Mental Health Practice was called to order by the Chair, Dale Battleson, at 9:01 a.m. at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level B, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web 6.30.2021.

The following members answered roll call:

**Members Present (8):**

Dale Battleson, Chair  
Batter, Sara, Member  
Janeen Gill, Secretary  
David Hof, Vice Chair  
Mychelle Martinez, Member  
Susan Meyerle, Member  
Susan Reay, Member  
Sarita Ruma, Member

**Members Absent (2):**

Laurie Andrews, Member  
Cassandra Dittmer, Member

**Others Present:**

Kris Chiles, Program Manager, Licensure Unit  
Carrie Erickson, Health Licensing Coordinator, Licensure Unit  
Teresa Hampton, DHHS Attorney  
Mindy Lester, Assistant Attorney General and Abby (Law Clerk)  
Anna Harrison, Compliance Monitor, Licensure Unit  
Trevor Klaassen, Mark Meyerson, Carla Cue, Investigations

A quorum was present and the meeting convened.

**2. ADOPTION OF AGENDA**

**MOTION:** Meyerle moved, seconded by Ruma, to adopt the agenda. A voice vote was taken. Voting aye: Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

**3. APPROVAL OF MINUTES**

**MOTION:** Ruma moved, seconded by Hof, to approve the minutes of March 12, 2021. A voice vote was taken. Voting aye: Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

**MOTION:** Meyerle moved, seconded by Gill, to approve the minutes of July 9, 2021 with 1 correction – page 4, item 8c – ‘hand-outs’ should be ‘hang-outs’. A voice vote was taken. Voting aye: Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

**4. DISCUSSION RELATING TO MAINTAINING LMHP WHEN LIMHP HAS BEEN ISSUED**

Chiles presented information at the request of Bryan Health concerning the continued need for an LMHP when a licensee has obtained an LIMHP. Discussion included the following:

- While the LI provides the broader scope of practice (includes diagnosis of major mental disorders), many insurance companies may ask how many years the individual has held the current active license and it may make a difference if the licensee just obtained the LI but has held the LM for many years and choose not to renew the LM.
- It's a licensee's choice if the licensee wishes to maintain either or both licenses.
- To automatically void/expire the LM when a licensee obtains the LI would require a statutory change (similar to the provisional license that becomes voided when a licensee obtains the LM).
- Stakeholder and Association buy-in would be necessary for legislation to pass.
- A majority of U.S. States do not have the 2 tiers of licensing (LM and LI).

The board requested to add this discussion as a standing agenda item on upcoming meeting agendas.

## **5. CLOSED SESSION - INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION**

**MOTION:** Gill moved, seconded by Batter, to enter into closed session at 9:20 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. Battleson repeated the motion purpose. A roll call vote was taken. Voting aye: Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

9:20 a.m.	Lester and Abby exited the meeting
9:20 a.m.	Reay voiced a conflict of interest and exited the meeting
9:30 a.m.	Reay entered the meeting
10:00 a.m.	Hampton exited the meeting
10:00 a.m.	Lester and Abby entered the meeting
10:02 a.m.	Meyerle voiced a conflict of interest and exited the meeting
10:12 a.m.	Meyerle entered the meeting
10:21 a.m.	Battleson exited the meeting
10:23 a.m.	Battleson entered the meeting
10:30 a.m.	Cue exited the meeting
10:46 a.m.	Break
11:00 a.m.	Meeting resumed
11:00 a.m.	Reay voiced a conflict of interest and exited the meeting
11:07 a.m.	Reay entered the meeting
11:10 a.m.	Reay voiced a conflict of interest and exited the meeting
11:16 a.m.	Reay entered the meeting
11:16 a.m.	Hof voiced a conflict of interest and exited the meeting
11:16 a.m.	Meyerson exited the meeting
11:28 a.m.	Hof entered the meeting
11:28 a.m.	Klaassen exited the meeting
11:58 a.m.	Meyerle exited the meeting
12:08 p.m.	Meyerle entered the meeting
12:08 p.m.	Break
12:09 p.m.	Harrison exited the meeting
12:10 p.m.	Members agreed to return to Open Session

**6. OPEN SESSION - REVIEW, RECOMMENDATIONS, AND REPORT OUT**  
**Applications and Reinstatement Applications**

**Reinstatement**

Jennifer Jennings - Licensed Independent Mental Health Practitioner, Licensed Mental Health Practitioner and, Master Social Worker

**MOTION:** Batter moved, seconded by Gill, to recommend reinstatement with a 2-year probation, including the following terms and conditions: 1) Require a practice monitor, who is a licensed independent mental health practitioner, pre-approved by the board, who meets with the applicant face-to-face at least one hour per week to review client case files, monitor the licensee's self-care and best practice, and review statutes and regulations relating to the practice of mental health; 2) Submit to random body fluid screening; 3) Abstain from alcohol and drugs; 4) Practice in a business where the licensee is employed to practice mental health and such practice must be provided during times when other mental health practice employees are present; 4) Quarterly employer reports; 5) Comply with all treatment recommendations of the evaluation/discharge summary and any future recommendations; 6) Comply with court probation and submit documentation of completion; and 7) Standard probationary terms and conditions. ; Basis: Diagnosis and prior discipline. A roll call vote was taken. Voting aye: Battleson, Batter, Gill, Hof, Martinez, Meyerle, Ruma (7). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: Reay (1). Motion carried.

Cami Sazama – Certified Social Worker

**MOTION:** Reay moved, seconded by Hof, to defer the recommendation and request additional information. A roll call vote was taken. Voting aye: Battleson, Batter, Gill, Hof, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

**Initial Application Reviews (Convictions)**

Garrish, Thomas – Licensed Independent Mental Health Practitioner

**MOTION:** Batter moved, seconded by Reay, to defer the recommendation and request additional information. A roll call vote was taken. Voting aye: Battleson, Batter, Gill, Hof, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried

Katherine Lambeth – Provisional Mental Health Practitioner / Provisional Certified Master Social Worker

**MOTION:** Gill moved, seconded by Hof, to defer the recommendation and request additional information. A roll call vote was taken. Voting aye: Battleson, Batter, Gill, Hof, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried

Amber Leighty – Provisional Mental Health Practitioner

**MOTION:** Gill moved, seconded by Martinez, to defer the recommendation and request additional information. A roll call vote was taken. Voting aye: Battleson, Batter, Gill, Hof, Martinez, Meyerle, Reay, Ruma (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried

Alyssa Maxwell – Licensed independent Mental Health Practitioner

**MOTION:** Meyerle moved, seconded by Reay, to recommend issuance concurrent with the same terms and conditions of Probation as her license as a mental health practitioner. A roll call vote was taken. Voting aye: Andrews, Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried

Amber Schramm- Provisional Mental Health Practitioner

**MOTION:** Ruma moved, seconded by Hof, to recommend issuance with no terms and conditions a. A roll call vote was taken. Voting aye: Andrews, Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried

Roland Warner - Provisional Mental Health Practitioner

**MOTION:** Reay moved, seconded by Ruma, to recommend issuance with no terms and conditions:. A

roll call vote was taken. Voting aye: Andrews, Battleson, Batter, Gill, Hoff, Martinez, Meyerle, Reay (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried

## **7. Updates and Reports**

### **a. 172 NAC 94 – Continued Discussion for Regulation Informational Sessions**

Members discussed the slide presentation that Reay had presented at the last meeting as a Board educational tool regarding the revised regulations; the slides provided comprehensive information and will be a great resource for employers, licensees, supervisors, associations, and others. There were a few grammatical corrections, which would be made in the near future, and then board members can share with others. It was recommended to send the final copy to members as a PDF so changes couldn't be made.

12:43 p.m. Lester and Abby exited the meeting

Members discussed updating the Jurisprudence examination to ensure it correlates with the new regulations. Battleson will head the review with Gill assisting and Batter assisting as needed.

#### **b. COVID 19: Executive Orders, Renewals** <https://dhhs.ne.gov/licensure/Pages/Mental-Health-and-Social-Work-Practice.aspx>

On August 26, 2021, Nebraska Governor Pete Ricketts issued Executive Order 21-12 (expiring December 31, 2021), which provides waivers of specific statutes and applicable regulations due to a hospital capacity emergency.

Following highlights a few of the waivers:

- 1) Suspends the Continuing Competency/Continuing Education requirements for renewal for the several license types, including mental health practice related.
- 2) If exam's are limited in availability, credentials could be issued on a Provisional full credential, with proof they have applied for an exam.
- 3) Supervision can be done via the phone

Direct client contact is deferred during this time period.

Chiles reported that the Licensure Unit is moving to an internet based licensing system starting late 2021 and implementation ending 2022 called **LANCE** (Nebraska Licensing and Certification Environment).

**LANCE** will provide 24/7/365 access to real time license-related data, and provide licensees and applicants access to online services such as: application submission, uploading documents, renewal and reinstatement submissions, receiving automatic notifications of upcoming events and application status, updating contact information, and paying fees by credit/debit card or ACH through a PC, tablet, or phone.

An email address is required for licensees and applicants to utilize the on-line services in **LANCE** and to obtain important licensing information via automated notifications. Licensees will be receiving a postcard in the near future asking licensees to update demographics if out-dated.

#### **c. Association and Committee Updates:**

- AASCB <http://www.aascb.org>

Meyerle reported there were no updates

- AMFTRB <http://www.amftrb.org>

Battleson reported the next meeting is in September and will be a virtual meeting.

- ASWB <http://www.aswb.org>

Batter reported that she will be attending the meeting in November, which will be held virtually and Reay will be an alternate.

- b. Reports: Disciplinary and Non-Disciplinary Actions, Licensure Statistics, Examination Pass/Fail Report, and Administrative Penalty Fees Assessed

Date of Reports: 1.1.2021 to 8-.24.2021 attached to agenda

## **9. ADJOURNMENT**

Battleson declared the meeting adjourned at 1:05 p.m.; the next meeting is scheduled for November 5, 2021.

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L. Janeen Gill, Secretary  
Board of Mental Health Practice

Summarized by: Licensure Unit